

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

RECEIVED & FILED  
00 FEB -3 AM 7:31  
CLERK'S OFFICE  
U.S. DISTRICT COURT  
SAN JUAN, P.R.

Waldemar Reymundi Villareal, et al

v.

**CASE NUMBER: 98-1784 (HL)**

Pedro Beltran, et al

**MOTION**

**Dates Filed:** 1.5.99 & 1.7.99 **Docket #** 20 & 21 ☐ **Plffs** ☒ **Defts** ☐ **Other**

**Title:** Motions to dismiss by Mariano Aponte & Confesor Morales Rodríguez

**ORDER**

Before the Court are motions to dismiss filed by Defendants Mariano Aponte and Confesor Morales Rodríguez. Plaintiffs brings this action for damages pursuant to 42 U.S.C. § 1983 and allege violations of rights under the Fourth and Fourteenth Amendments. Defendants argue that the complaint fails to state a claim against them for which relief could be granted.

Plaintiffs allege in their complaint that certain named police officers improperly arrested Plaintiff Waldemar Reymundi Villareal and in the process violated his constitutional rights. In their complaint, Plaintiffs describe the conduct by these officers. The complaint, however, lacks specific allegations regarding any conduct by Aponte or Morales Rodríguez. These two defendants appear in the caption of the complaint and in the first paragraph. Nowhere else in the complaint do their names appear. Because Plaintiffs have failed to specify in the complaint conduct by these two defendants which constituted violations of Villareal's constitutional rights, the Court grants their motions to dismiss. Plaintiffs shall have until **February 18, 2000**, to amend their complaint to include specific allegations by Aponte and Morales Rodríguez. If Plaintiffs fail to amend the complaint by this deadline, the Court will enter judgment dismissing these two defendants.

Date

2/2/00

**HECTOR M. LAFFITTE**  
Chief U.S. District Judge

(12)

(31)